

REMARKS

Claims 38-57 are pending. Claims 38-57 are rejected. Claims 38, 46 and 48 have been amended. Claims 58-59 have been newly added.

The Office Action objects to claims 38 and 46 for noted informalities. It is respectfully requested that the objection be withdrawn with respect to claims 38-57 in view of the amendments herein.

To expedite prosecution, Applicants have amended at least the pending independent claims. Applicants neither agree nor disagree with the interpretation of claim elements or documents as set forth in the Office Action.

Independent claim 38 has been amended and recites, in part, “wherein the wireless mobile cellular phone comprises a personal digital assistant (PDA) equipped with a wireless transceiver, wherein the wireless mobile cellular phone supports wireless communications with a wireless local area network, wherein at least the QPSK mapper, the first MTCM encoder and QPSK mapper unit, the second MTCM encoder and QPSK mapper unit and the particular encoder are part of an outer encoder and an inner encoder, and wherein information transferred between the inner encoder and/or the outer encoder is evaluated to determine at least a number of turbo iterations, a stopping criteria, a symbol interleaver span and a symbol interleaver depth”.

Independent claim 46 has been amended and recites, in part, “wherein the wireless spread spectrum mobile cellular phone supports wireless communications with a wireless local area network, wherein the wireless spread spectrum mobile cellular phone supports e-mail communications, video conference communications and Internet communications, wherein at least the QPSK mapper, the first MTCM encoder and QPSK mapper unit, the second MTCM encoder and QPSK mapper unit and the particular encoder are part of an outer encoder and/or an inner encoder, wherein information transferred between the inner encoder and the outer encoder is evaluated to determine at least a number of turbo iterations, a stopping criteria, a symbol interleaver span and a symbol interleaver depth, and wherein the information transferred between the inner encoder and the outer encoder is evaluated using extrinsic information transfer (EXIT) chart based analysis”.

It is respectfully submitted that the combination of cited documents, as alleged in the Office Action, do not teach at least the above recited elements as set forth in independent claims 38 and 46.

It is therefore respectfully requested that the rejection under 35 U.S.C. § 103 be withdrawn with respect to claims 38-59.

Applicants do not necessarily agree or disagree with the Examiner's characterization of the documents made of record, either alone or in combination, or the Examiner's characterization of recited claim elements. Furthermore, Applicants respectfully reserve the right to argue the characterization of the documents of record, either alone or in combination, to argue what is allegedly well known, allegedly obvious or allegedly disclosed, or the characterization of the recited claim elements should that need arise in the future.

With respect to the present application, Applicants hereby rescind any disclaimer of claim scope made in the parent application or any predecessor or related application. The Examiner is advised that any previous disclaimer of claim scope, if any, and the alleged prior art that it was made to allegedly avoid, may need to be revisited. Nor should a disclaimer of claim scope, if any, in the present application be read back into any predecessor or related application.

In view of at least the foregoing, it is respectfully submitted that the present application is in condition for allowance. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the below-listed telephone number.

The Commissioner is hereby authorized to charge any additional fees, to charge any fee deficiencies or to credit any overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Dated: September 9, 2008

Respectfully submitted,

/Michael T. Cruz/

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